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VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

Waste Operations  
 James C. Jelani, Director

Facsimile Transmitted

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TO (Name):	Karen Lamb
TITLE:	OSO
Organization:	
Box Number:	(703) 341-4387
Subject:	State AEPs

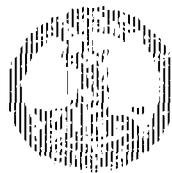
FROM (Name):	Paul Spaulding 703 762-4110
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VDHEQ

verification of problem - call (804) 752-4110

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Paul W. Schmidt  
Director

P. O. Box 10000  
Richmond, Virginia 23265-0000  
(804) 782-4000

June 30, 1994

Mr. P. Kevin Koch  
On-Scene-Coordinator  
U.S. EPA, Region III  
841 Chestnut Building  
Philadelphia, PA 19107

Re: Warrenton PCB Removal Site,  
Warrenton, Clatsop County, Oregon

Dear Mr. Koch:

Based on the information you provided in our recent telephone conversation regarding the EPA removal action to be conducted at the above-referenced site, enclosed are Commonwealth of Virginia ARARs for the site. (Please see the attached list.) Following your review of this information, please provide EPA's proposed determination of the requirements to be imposed for this action.

Thank you for your attention to this matter. Please contact me at (804) 782-4187 if you have any questions regarding these ARARs.

Sincerely,

Paul L. Spaulding  
Virginia Superfund Program

enclosure

cc: Brett Burdick  
R.C. Egan

AR20002

Commonwealth of Virginia

For RR Removal Act, the

Maximum RR Removal Act,

Maximum Removal County, Virginia

The material below includes state statutes and regulations proposed to serve as state RRRs for the above-referenced RR Removal action. The information includes the citation for each source and a brief explanation of each requirements.

The basic scope of work to which these requirements apply includes the excavation of test pits for the purpose of determining the extent of contamination in certain areas of the site. Because of the likelihood of decontamination water and other wastewater being generated as a result of these activities, wastewater disposal requirements have been identified.

3. Virginia Waste Management Act, Code of Virginia §§ 10.1-1460 and 10.1-1461, Virginia Hazardous Waste Management Regulations (VHWMR) (VR 672-30-1), Virginia Solid Waste Management Regulations (VSMR) (VR 672-30-10), Virginia Regulations Governing the Transportation of Hazardous Materials (VR 672-30-1).

a. The temporary staging of contaminated soil should be conducted in compliance with VHWMR § 10.6, VHWMR § 10.11, and VSMR § 10.11, to ensure that stockpiling of the soil does not result in a release to the environment.

b. In accordance with VHWMR/RCRA and EPA's "contaminated" policy, soil that contains a listed hazardous waste or that in itself a characteristic hazardous waste must be managed as a hazardous waste. Management of such soil in preparation for shipment off-site would be subject to VHWMR Parts VI and VII.

Note: Because there are no hazardous waste landfills in Virginia, disposal would need to be out-of-state. The transportation and disposal of the hazardous waste are off-site activities not covered by RRRs. All applicable regulations governing these activities must be complied with. For informational purposes, the regulations governing the transportation of a hazardous waste are contained in VHWMR Part VII, and the Virginia Regulations Governing the Transportation of Hazardous Materials.

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c. If contaminated soil does not contain a listed hazardous waste and is not a characteristic hazardous waste, it will be classified as a Special Waste under Part VIII of VSWMR. Special wastes are solid wastes that require special handling and precautions. Provisions of VSWMR Parts VI and VII and the Virginia Regulations for the Transportation of Hazardous Materials, which have been promulgated to ensure against spillage during transportation, would be "adequate and appropriate" to the preparation of the material for off-site shipment.

Notes: Under VSWMR Part VIII, Virginia Facilities may receive special wastes for processing or disposal only with specific approval of the Director of DEQ, or by specific provisions within the facility's permit.

2. Virginia Erosion and Sediment Control Law, Code of Virginia §§ 10.1-550 and 10.1-551; Virginia Erosion and Sediment Control Regulations (VRESCR) (VR 634-03-00).

The excavation of soil should be in compliance with the erosion and sediment control requirements of the locality and/or local soil and water conservation district.

3. Virginia Air Pollution Control Law, Code of Virginia Sections 10.1-1000 and 10.1-1001; Virginia Regulations for Air Control and Abatement of Air Pollution (VRECRAP) (VR 630-01).

a. Excavation of soil should be in compliance with the ambient air quality standards for particulate matter contained in VRECRAP §§ 120-03-02 and 120-03-04, as well as the standards of performance for visible emissions and fugitive dust emissions from a new source contained in § 120-03-04. Under § 120-05-0404, sources of fugitive dust emissions must take precautions to prevent particulate matter from becoming airborne.

4. Virginia Storm Water Control Law, Code of Virginia Sections 62.1-04.1 and 62.1-04.2; Virginia Storm Water Control Board Regulations entitled "Water Quality Standards" (VR 600-21-00); Virginia Pollutant Discharge Elimination System (VDES) and Virginia Pollution Abatement (VPA) Permit Program (VR 600-10-01); and "Virginia Water Protection Permits" (VR 600-15-01).

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a. The substantive requirements of the Virginia Pollution Discharge Elimination System Regulation (VR 600-40-03) must be complied with for any on-site discharge of wastewater to surface waters. Such a discharge must meet effluent discharge limits established by DEQ's Water Division. Site-specific limits may be established following receipt of initial design parameters and estimated discharge rates.

b. The Virginia Water Protection Permit Regulation (VR 600-45-01) delineates the procedures and requirements to be followed in connection with activities such as dredging, filling, or discharging any pollutant into, or adjacent to, surface waters, or any activity which impacts the physical, chemical or biological properties of surface waters. (Please be aware that wetlands are included within the definition of surface waters.)

5. Virginia Stormwater Management Act, § 10.1-603.3 and Virginia Stormwater Management Regulation (VR 600-43-05), and local stormwater management programs.

If a local stormwater management program has been adopted in accordance with the Virginia Stormwater Management Act, and the project is not exempt under the local program, (the Act governs land development that disturbs more than one acre but local program can reduce this threshold), the local program would be a source of "applicable" requirements. In the absence of a local program, the standards contained in the Stormwater Management Act may serve as "relevant and appropriate" requirements.